

REMARKS

Applicant's attorney appreciates the courtesy and consideration extended by the Examiner in their phone conference of July 12, 2005, after transmission of the claims, as presently amended, to the Examiner.

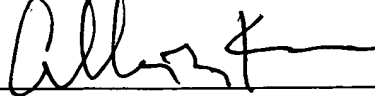
The claims stand rejected as being anticipated by Rosser Patent 6,446,261. It is respectfully submitted that independent claim 8, as amended, distinguishes from Rosser by inclusion of the limitation of "... means for transmitting over one of said television channels to a viewer's receiver, a timetable file with descriptive and time/channel data relating to the commercial components of the transmitted television programs and data relating to alternative commercial components which may be used to replace commercial components of said programs". Claim 8 further distinguishes from Rosser in providing "... means for allowing a user to select one channel for viewing from said timetable file" and in the provision of "... means at the viewer's receiver for substituting selected commercials from said storage means for commercials transmitted with the program material on the selected channel under control of the stored profile of viewer's demographic information and said descriptive and time/channel data." The specification of the application discloses these features at page 2, lines 2-11. Also note page 7, line 23 – page 8, line 3.

The timetable file thus serves a dual purpose: first, it acts as an electronic TV guide to allow a viewer to select a channel for viewing from the multiple channels available; and second, it provides the information necessary for making the decisions as to which sections of the transmitted program should be replaced by information stored in recorder 34 or being transmitted on an alternative channel.

It is respectfully submitted that Rosser does not disclose such components or their equivalents.

Reconsideration and allowance are accordingly respectfully solicited.

Respectfully submitted,



Allen M. Krass
Registration No. 18,277
Gifford, Krass, Groh, Sprinkle,
Anderson & Citkowski, P.C.
2701 Troy Center Drive, Suite 330
P.O. Box 7021
Troy, MI 48007-7021
(248) 647-6000

Attorney for Applicant

Dated: 7/21/2005

AMK/gs

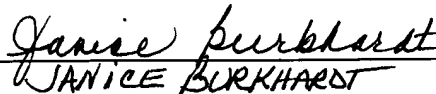
GS-W:\Word Processing\amk\Amendments\HBK02802-amd4.doc

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"EXPRESS MAIL" MAILING LABEL NUMBER EV734452556US

DATE OF DEPOSIT July 21, 2005

I hereby certify that this paper or fee (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


JANICE BURKHARDT